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February 11, 2005

**VIA FACSIMILE**Alphonse A. Gerhardstein, Esq.  
Laufman & Gerhardstein  
1409 Enquirer Building  
617 Vine Street  
Cincinnati, Ohio 45202Re: Patricia Kammeyer, et al. v. City of Sharonville, et al.  
U.S. District Court, Southern District of Ohio, Case No. C-1-01-649

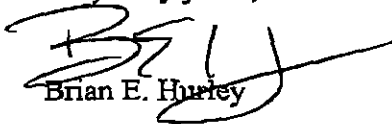
Dear Mr. Gerhardstein:

I am in receipt of your facsimile letter of February 10, 2004, and have been asked to respond to the letter on behalf of counsel for all Defendants.

Defendants cannot agree to your request that the oral argument on the statute of limitation summary judgment motion be moved to March 23, 2005. First, the motion has been pending for almost four months, and it has not already been ruled on solely because of Plaintiffs' requests. Second, waiting until March 23, 2005 will mean that there will be less than 1 ½ months before the trial date, and at that time Defendants' motion for summary judgment on the substantive issues will also have been filed for almost one month. Third, with Mr. Caster being added as counsel for Plaintiffs, either Mr. Laufman or Mr. Caster are able to more than adequately represent Plaintiffs' interests at the oral argument.

As a compromise, Defendants are willing to move the oral argument to March 23, 2005 if Plaintiffs agree to either vacate the May 10, 2005 trial date or use the May 10, 2005 date for a trial on the statute of limitation issues. We look forward to your response. I remain

Very truly yours,

  
Brian E. Hurley

BEH/mlp

cc: Lawrence E. Barbieri, Esq.  
Thomas T. Keating, Esq.  
Leslie Ghiz, Esq.